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G. L. Gomme
26 Nov. 81

MEMORIALS OF OLD BIRMINGHAM.

TRADITIONS

OF

The Old Crown House,

IN

DER-YAT-END,

IN THE

LORDSHIP OF BIRMINGHAM.

With some Notice of English Gilds.

8.39

BY

TOULMIN SMITH.

"I came through a pretty street or ever I entered, into Bermingham towne. . . . There is a propper Chappell, and Mansion House of Tymber hard on the ripe, as the brooke runneth downe; and, as I went through the ford by the bridge, the water ran downe on the right hand."—*Leland's Itinerary*, A.D. 1538.

With Numerous Illustrations, and Two Facsimiles.

BIRMINGHAM:
HENRY WRIGHT, TEMPLE BUILDINGS, NEW STREET.
1863.

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"Now hath ech riche a rule
To eten by hymselve
In a pryvee Parlour,
For povere mennes sake,
Or in a Chambre with a Chymenee,
And leve the chief Halle
That was maad for meles,
Men to eten inne."

Piers Ploughman's Vision, A.D. 1362
[*A few years earlier than The Old Crown House*].

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INTRODUCTION.

THREE times within the last ten years, I have been asked, under different circumstances, to furnish materials for publication as to The Old Crown House. On 7th October, 1862, the Committee of the Birmingham and Midland Counties Archæological Association, made an official application to me, to furnish the necessary letter-press for a work intended to be put forth by that Association, devoted, in its first Number, to this House. I took steps to comply with a request which, thus reiterated, and from so respect-worthy a Body, could not, with propriety, be declined. After some time, however, I learned, with regret, that the wish of the Association was, only to have "information respecting the original proprietor, and the descent and changes of the House." I had considered, as I still do, that the interest, to the Town and neighbourhood, of the oldest House in Birmingham, lies in the links that it hangs together, and the associations that cluster round it, illustrative of the History of the Town. I have no love for the parade of pedigrees. It is no merit to any man to have had ancestors; though it

is a great demerit to any man who numbers among his ancestors men who have taken an active part, either on the field or with the pen, in the strife for political freedom, for independence of thought, or for the ennobling and disenthralling of religious feeling, if he does not keep their memory before him, as imposing a special obligation not to fall below what is worthy of companionship with such examples.

To trace the "descent" of any House through five hundred years, would be rather a long story: in this case, as the descent happens to have often passed through females, it would be particularly complicated; and, when drawn out, I cannot conceive that it would be either of any interest or of any use to the general public. I should deem myself rightly chargeable with a ridiculous vanity had I consented to put it forth.

I was obliged, therefore, to abandon the intention of fulfilling the request of the Archæological Association. But, in the mean time, a Paper had been publicly announced as forthcoming, and the Association felt itself somewhat compromised. Under these circumstances, my only course has been, to publish, independently of that Association,—but with every friendly feeling towards both it, and its members personally,—what seemed to me, all along, to be the proper way of treating such a subject. The present work is the result:—a work not impertinently thrust upon the public of this Town, but put forth in redemption of good faith.

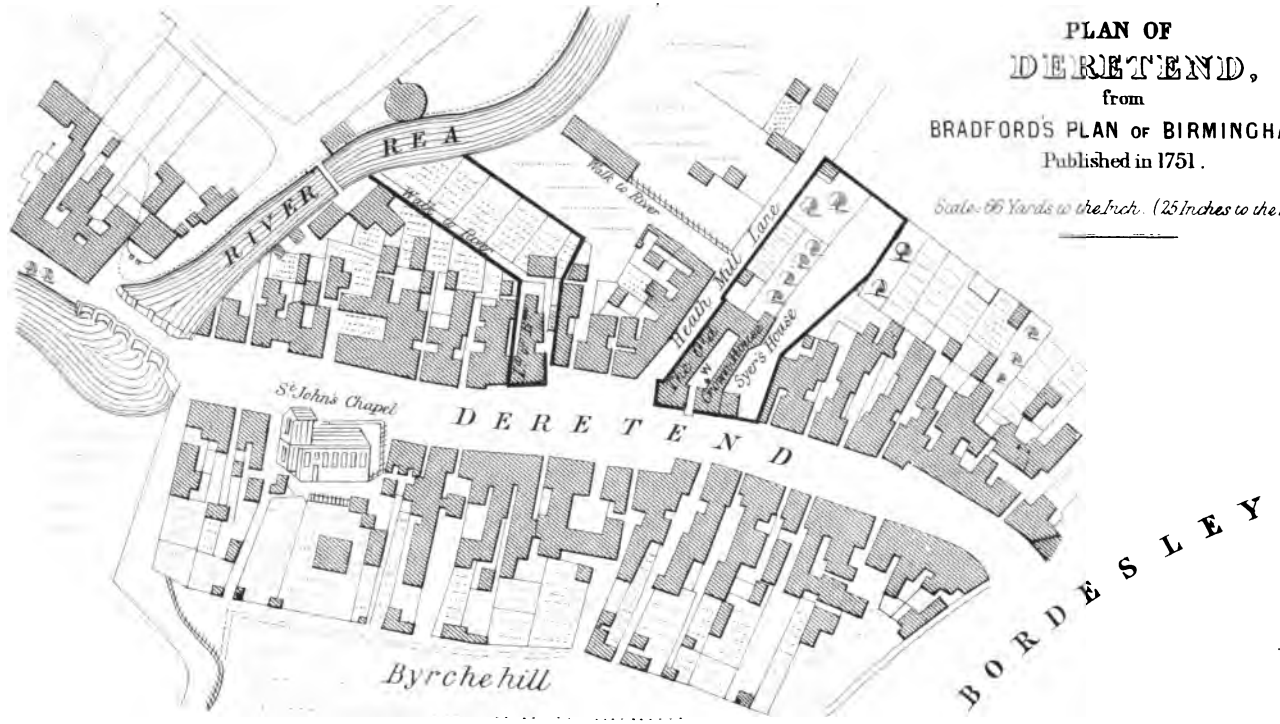
The task has been far from easy. My wish has been, to treat the House from the points of view in which it is, architecturally, of special interest, and in which its history raises

topics that have a general interest of a wider sort; and, in doing this, to avoid mention of *persons*, save where they are specially connected with events, or with aims and memories, that have a general importance, or which touch local sympathies wider than the private range of any family story. The topics thus now touched on, by no means exhaust the matters, both of general and local interest, that are illustrated by the materials in my possession; but enough is given to show what relics of past history may cling about one old House.*

I must add a few words:—Sixteen years ago, I was obliged, very unwillingly, through the incoming of the Oxford and Birmingham Junction Railway, to be party to the severance of an estate which had been altogether unbroken for nearly three hundred years. This, I could not help. But in 1851, the Corporation of Birmingham included The Old Crown House in the Schedule to their Bill, then before Parliament; designing to destroy the House in order to "improve" a street. I successfully resisted that attempt. Again in 1856, and again in 1862, the Corporation took steps towards the same endeavour: each time I have declined consent. It is somewhat hard that I should have thus been obliged, at my own trouble and expense, to save, for the Town, a relic of

* The two Facsimiles of Deeds which are here given, have been done by the valuable process of *photozincography*, discovered by Sir Henry James, Director of the Ordnance Survey; who has lately reproduced the whole of the Domesday Book by this means. My acknowledgments are due to that gentleman for his courtesy in enabling these facsimiles to be now thus given. The two views of The Old Crown House, are from photographs very skilfully taken by Mr. H. J. Whitlock, of New Street, Birmingham. The sketches of the "Gallorye Chamber" and the "Well" were made by Mr. D. J. Williams, Architect, of Cannon Street, Birmingham; to whom I am also indebted for careful assistance in measurements and in the following up of necessary examinations. It is cause of great regret to me, that the works lately done were obliged to be done while, being absent, I was unable to make observations on what was disclosed as they proceeded.

antiquity which it is for the credit and interest of the Town, and certainly not for my personal profit, should be preserved; and it is the more hard, inasmuch as to me, more than to any man in England, do corporate Bodies owe, in these latter times, the vindication and upholding of their independence and their legitimate authority. From the three attempts at the destruction of this House, thus made within the last twelve years, I have saved it. At no light expense to me, the House has now been restored to more of the likeness which it bore in the days of its youth, than it has had for some centuries. In the vicissitudes of human affairs, it will not be for me to save the House from the attacks of future street-improvers. This must now be committed to the good taste and good feeling of those who think it well to maintain examples of old English domestic architecture, and those who deem the preservation of this oldest and finest relic of "Old Birmingham" to be a thing worthy of the Town.



PLAN OF

DERETEND,

from

BRADFORD'S PLAN OF BIRMINGHAM,

Published in 1751.

Scale 66 Yards to the Inch. (25 Inches to the Mile)

Vincent Brooks, lith. London.

TRADITIONS

OF

THE OLD CROWN HOUSE.

FIVE hundred years have wrought much change in English towns. Yet, for but little less than that long time, no one has gone out of Birmingham towards Warwick or Coventry, or come into Birmingham from the Warwick or Coventry road, without his eyes falling, as the eyes of the passer-by must even now fall, on that "Mansion House of tymber" which Leland saw, in 1538, now three hundred and twenty-five years ago, as, wending his way "through a pretty street as ever I entered," he "came into Bermingham towne."

To cool his horse's heels, Leland "went through the ford by the bridge"; when he took notice that "the water ran downe on the right hand." Turning to watch the course of the stream, he would get, again, a fair view of one end of "The Great Old House," as another antiquary has called it: for, if he forded the river on the left of the Bridge, his view along the street he had ridden up was uninterrupted; if he forded the river on the right hand, little besides "garden-pleckes" and paddocks then lay, behind the other houses fronting the street, between this house and the fording-

place. In either case, he would see the river bending rapidly towards the ground at the back of this house; which is thus truly described by him as "a Mansion House of tymber, hard on the ripe, as the brooke runneth downe."

There was, indeed, formerly a private footpath leading from the middle of the garden of The Old Crown House, before Heath Mill Lane had become a thoroughfare, down to the River Rea. This footpath is particularly named in old Deeds: the place of it is plainly marked on Bradford's very excellent Plan of Birmingham, drawn on a survey made in 1750: and there are still living, in Deritend, elderly people who remember it in use, along its old way, from Heath Mill Lane to the river, though no longer being only a private footpath from the garden of The Old Crown House.

A Plan of so much of the town is here given, as will show all the places that will be now particularly named.* The

* Bradford's plan of Birmingham, surveyed in 1750 and published in 1751, is exceedingly well worthy of notice. It is most exact in its details, insomuch that The Old Crown House and other parts of Deritend are laid down in a manner quite sufficient for the present work. And it is curious that it is drawn on the scale that has, within the present year, been sanctioned for the making of plans of towns by the Ordnance Survey. In the extract from this plan made for the purpose of the present Work, I have inserted the names of places (including "Byrchehill" and "Heath Mill Lane") from my own original documents. In the Plan, Bradford's spelling of "Deretend" is left; but in these pages I use the more correct form, "Deritend."

Birmingham and its neighbourhood are well illustrated by four plates, the set of which has come down to me. These are, (1) Bradford's Plan of Birmingham, above named; (2) Bradford's View of Birmingham, published in 1752, a remarkable and very fine engraving, more than five feet in length, and so extremely rare that no copy besides my own is known to exist by those best acquainted with illustrations of Birmingham; (3) a Map of the Shire, without date, but engraved by the same "Thomas Jefferys" who engraved Bradford's plan of the Town, and giving archæological details of places and events; (4) a Map of 25 miles round Birmingham, surveyed in 1788.

Under the fine engraved view of Birmingham above named, there is put a description of the place and people so quaint that, the engraving being thus scarce, a copy of this description will be acceptable to those who care for Memorials of Old Birmingham. It is as follows:—

"Birmingham. A considerable Market Town in the County of Warwick. It is Pleasantly Situated on a gravelly Soil. Descending on the South East to

Old Crown House and gardens, with a house and garden next to them round which a hitherto unwritten story hangs, are marked out from the rest, on this plan, by a darker outline. The same means are taken to mark out, nearer the bridge, another house and gardens, which were once demesne lands of the old Lords of Birmingham, and which will also presently claim some interest from those who would not be unheedful of authentic Memorials of Old Birmingham. The whole of what is thus included within these two spaces, has formed, through the generations of three hundred years, one unbroken estate, in the same family; but the parts of it have three separate earlier histories, all of them remarkable.

The better sort of the houses which were built, as was The Old Crown House, in the fourteenth century, that is, earlier than A.D. 1400, often filled three or four sides of a quadrangle. Not that the Mansion House itself filled all the three or four sides. The substantial dwelling-house filled one side, sometimes more, according to convenience; while the other sides were filled by the various out-buildings, generally less substantial in themselves, and, from their uses, undergoing oftener changes. The plan now given, shows that The Old Crown House and its out-buildings filled all

the River Rea, it is now become very Large and Populous, which is greatly owing to the freedom it yet Enjoys, as well as the Industry of the People, and their Extensive Trade. The Inhabitants are generally of an obliging and Ingenious Disposition, and have the Character of being sincere in their Dealings. The Houses are chiefly built of Brick, and the publick Buildings (though but few) are Neat and Magnificent. St. Phillip's Church, which is esteemed one of the Principal Ornaments of this Town, is built of white free stone, and has an agreeable Situation. The Spire of St. Martins is justly admired, and, notwithstanding it has been built several hundred Years, is thought Superiour in Beauty to most in this Nation. St. Bartholomew's Chapel is lately built, and has a double row of Windows on each side: y^e^ outside is plain, but y^e^ Inside is allow'd to be very handsome and neatly finisht. St. John's Chapel [Deritend] was rebuilt about 17 Years ago. The Tower is not yet finish'd; but the Body of the Chapel makes a good Appearance. There are, besides, Meeting-Houses for Dissenters of most Denominations. The Free-school and Work-house are handsome, regular, pieces of Building, and may be deservedly esteemed Useful as well as Ornamental."

four sides of a quadrangle in the year 1750; and there can be little doubt that these had then always done so, though the buildings, on the three sides not seen from the street, have, from time to time, undergone many changes. Those now standing at the farthest end, and those on the right hand side, of the court-yard, were rebuilt in 1830. Part of those lately standing on the left hand side of the court-yard, were pulled down in September, 1862, having then become very ruinous. The latter were then nearly two hundred years old. But neither these, nor those pulled down and rebuilt in 1830, formed any part of the main building of the Mansion House itself. In place of those pulled down in September, 1862, there have now been put up buildings much more substantial, and more in keeping with the character of the old house. An outline of the front of them is seen in the sketch given on the next page.

The substantial dwelling-house itself remains, happily, for the most part, as it was originally built. It fills a space of seventy-one feet and four inches in length, and twenty feet and two inches in depth, on the ground-floor; but the upper floor overhangs, so as to make the depth, on that floor, twenty-one feet and nine inches. The house is, on the lower story, now divided into two parts by a Gateway, which runs through it, and opens into the Court-yard, having a gate or door at each end. Over the gate next the street, the upper story of the building very prominently overhangs much beyond any part of the line of the rest of the house, as is shown in the following outline-sketch of the house, as seen on a side view.

As originally built, the ground floor of the house contained a central "Hall," about forty feet long by twenty feet wide, built over arched "Cellars," and having a fire-place on its western side; with, at each end, a separate but smaller room. An old Deed describes this "Hall" as having three doors. The great door under the overhanging porch, and

the one opposite to this, would be two of these. A wall was, in later times, built up on each side of these two doors, making a passage of six feet wide, straight through the house,

and leaving two rooms on each side of this central passage, instead of one room at each end of the great "Hall."

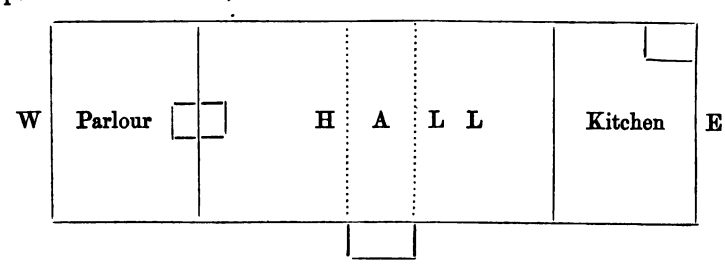
On the upper floor, there were, originally, but four rooms. That which is now a separate room, over the gateway, has long borne the name of "The Gallorye Chamber"; a name traditional of the time when it was only separated by a balustrade from "The Great Chamber" on its western side. The part in the overhanging porch, with its two lattices, would always make the "Gallorye" a favourite resort.

The original divisions of the upper rooms remain, on each side of the Gateway; one room on each side having, however, been again divided into two. One of these divisions was made at least two hundred years ago, and was the occasion

of a new window being then cut, in place of the old one, in the outer wall towards Heath Mill Lane. The other division is very recent, and is simply made by a partition, without touching any outer wall. Beyond these divisions, none of the upper rooms has undergone any other change than what will next be mentioned.*

It was common, in houses of this size, of the time when this was built, that the rooms should be reached from the outside of the house, through the court-yard enclosed by the quadrangle of buildings. There is no doubt that this was the plan followed in The Old Crown House. To the rooms of the lower story, doors would open from the court-yard. The upper story would be reached by a gallery running along enough of the outside, between the outbuildings on each side, to have a door-way opening into each of the rooms. When, at a later day, as will presently be stated, the Great

* The following sketch will make plainer the above description. The dotted lines show where the walls are now built up. The rooms on the upper floor correspond with those below, with the modifications stated in the text.



The wall between the old "Hall" and the western room is now removed.

I take the names given above, from an ancient Inventory, made before the house was divided. There were two original Chimney stacks in the House (as shown on this sketch); one in the division between the west end of the "Hall and the adjoining room, and serving to warm both; the other at the north-east corner of the east room. Both remain, though somewhat altered, and in part rebuilt, to suit present exigencies. I regret to have to add, that the ancient arches of the cellars have been almost entirely cut away; the widest of these, which remained perfect till a few months ago, having been lately cut away without my knowledge. The places where the arches sprang are, however, plainly to be seen.

The upper rooms are higher than is generally the case in houses of this kind. The lowest is 7 feet and 9 inches high; the highest is 9 feet high.

Old House was made into two, and afterwards into three, this gallery, then running against the outer face of the house fronting the court-yard, was taken down; buildings were put against most of the house where the gallery used to run along; and it thus became necessary to reach the upper rooms by cutting off enough, from all but one of the end rooms, to make a long lobby at the back of the house, but within the walls, by which the rooms might be reached from inner staircases. The length of all the upper rooms but one, has of course become lessened by the three feet thus cut off from each.

Those who wish to understand the shape and size of the true old dwelling-house, will easily do this, by looking at the plan here given, and at the sketch of the side of the house next Heath Mill Lane (on p. 9), and observing where the timber house ends, and the brick buildings, lately put up, begin. The side of the house at the opposite (eastern) end, can also be plainly seen from the street. These two ends show the depth of the old substantial dwelling-house. From the court-yard within, the original back-face of the house, where the gallery once ran, is only to be seen in one place, which is exactly over the back part of the gateway. All the rest is covered over by buildings that have been added on, at one time and another. But, as this only remaining piece of the back-face that is open to the day, is important for the identification of the original building and its parts, I have taken care that it shall be thoroughly cleaned; and, the whitewash that has hidden it for some centuries being removed, its ancient timbers are now properly picked out, and it is thus restored to the colour and sight to which it has long been a stranger. A line drawn straight from it, on each side, will be parallel to the front, at the distance of twenty-one feet and nine inches, and will meet the back corners of the two sides, seen as above described; thus enclosing, with

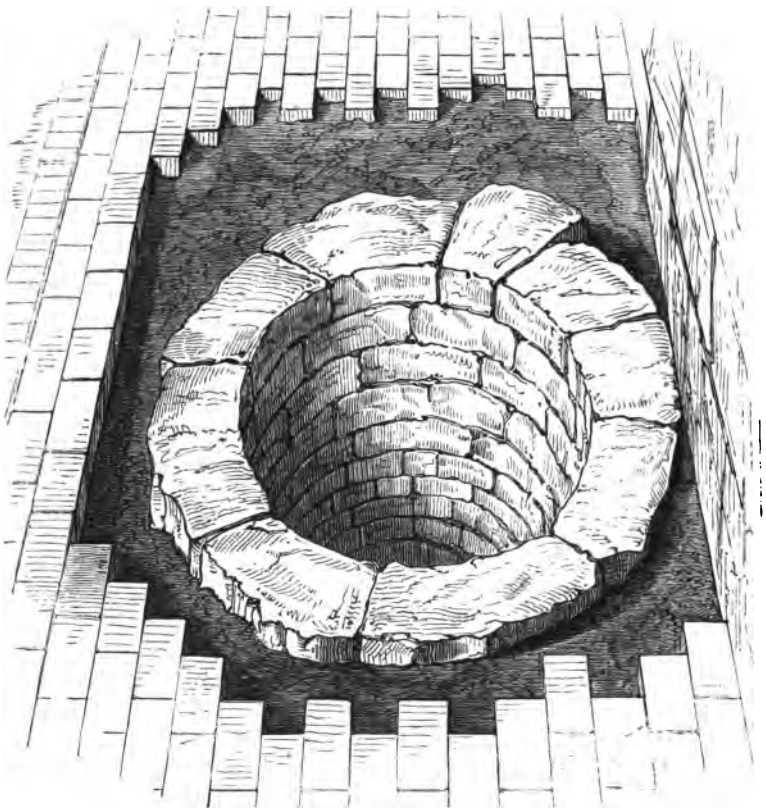
those sides and the front, the site and building of the ancient Mansion House.

Within the Court-yard, sixteen feet from the old back-face of the house (though close to the very edge of the later added buildings), and opposite to the middle of that part of the old house which stands on the right hand (east) side of the gateway, is the old WELL belonging to the house. (A round spot, with the letter "W," shows this on the Plan.) Such a Well, and in such a place, is one of the most characteristic marks of houses of high antiquity. This Well is certainly as old as this old house: very likely older. For twenty-six feet deep it is built up with large hewn stones. It does not show, as is done in modern wells, masses of unshapen stones or square bricks, laid together, as well as may be, round a circle; but every stone is cut to an exact joint, so that the whole lock closely together in each course, and the inner face of each stone is carefully hewn to make a true segment of the entire circle of the Well. This arrangement will be better understood by the following sketch of the Well, as it was, not long ago, laid open.

The stones of which the Well is built, are close-grained and hard, and the sides are still in very good condition. The old stone structure is made the more striking by the fact that, at some later time, when the sinking of many neighbouring wells made a deepening of this old Well necessary, it was deepened nearly twelve feet; but the sides of this deepened part are lined with square bricks, instead of being built up, like the ancient Well, with hewn stones. The whole Well is upwards of thirty-eight feet deep. At the top, it is two feet and seven inches in its narrowest, and two feet and nine inches in its broadest, diameter: at the bottom it is three feet and six inches in diameter: in the middle the average diameter is four feet.

This Well has, within the present year (1863), been

cleared out to the bottom; and I have put an iron door over the top, in order that this, which is in all likelihood



the oldest well in the town of Birmingham, may remain accessible as well as safe.*

If any one, looking down the sides of this ancient Well, and bethinking himself, peradventure, how, like Jonathan of old, he has "come to a man's house which has a Well in his court,"† should begin to be aware of some of the flavour of a true antiquity, he will not do amiss to go up, while in such

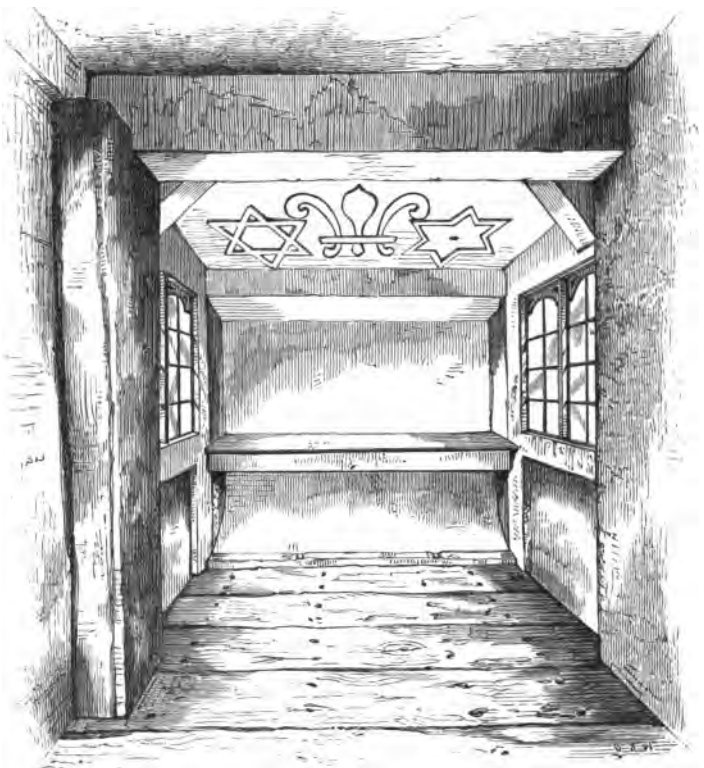
* I went to the bottom of this Well, on 8th June, 1863; and so am able to speak of it from actual inspection throughout. My experience leads me to think that Jonathan and Ahimaaz cannot have had a very comfortable time of it, when hiding from Absalom's search.

† 2 Samuel, xvii. 18.

mood, into "The Gallorye Chamber." He will there find himself quite among the surroundings of the olden time. Not in any old Castle keep will he become so thoroughly aware that he treads where very many good Englishmen and Englishwomen have trodden, filled with the thoughts, the hopes, the gladness, and the sorrows, that have glowed in the best English hearts through five hundred years of English history.

The shape and build of this room have more in them to touch humanity than the chamber of a battlemented castle. The floor is now as it has been for ages;—not cold stone, but well-worn oak; not recalling the heavy tread of the mailed soldier's heel, but witnessing to the lighter though no less courageous and historically significant tread of English gentlemen and gentlewomen, who have sought, through centuries, to fulfil their duties as free dwellers in a free State. At the front, the room stands forward more than four feet beyond the already overhanging upper floor of the old House; supported only by the strength of the old oaken timbers; but yet firmer, and shaking less beneath the foot-step, than is common with the floors of what are deemed well-built modern houses. On each side of this overhanging part of the room, is a lattice window; of which the one looks down, eastward, and commands a view of all that comes into the Town; the other looks up, westward, and commands a view of what comes down from above, even further than the bridge. In the days, I must suppose it was, of window taxes, one of these lattice windows was blocked up; and dark and dingy enough the chamber then became. I have had both of them restored. Happily, the old oaken frame-work of both remained. These lattice windows will therefore now be looked through, exactly as they were looked through five, four, three, and two hundred years ago. The sketch now given of this interior, shows it as it was through all that olden time, and as it now is.

Through these very lattices was seen, no doubt, the coming of those who brought tidings of the great fight then lately done in France, upon the field of Agincourt. At these lattices, anxious eyes looked out for the coming of him who



should tell how the battle of Barnet had ended, and what had befallen Warwick the King-maker. There, still more anxious eyes and hearts, I think, watched for the messenger, fraught with a tale of much moment to them, that should come from the battle of Bosworth field. Thence, less anxious and more sparkling eyes glanced down upon John Leland, as he rode up "as pretty a street as ever he entered, into Bermingham towne;" and they smiled pleasantly as they saw him slacken his horse's pace, that he might take a longer look at this fair "Mansion House of tymber," before he "went

through the ford by the bridge." Through that western lattice, in all likelihood, while the sun was going down, neighbourly eyes greeted Edward Birmingham, the living representative of an old and honorable House, as, not dreaming of treachery, he rode forth, on that hapless afternoon when a foul conspiracy put the honour of his House suddenly in jeopardy,—to leave him homeless, landless, and a stranger, in the place where his fathers had dwelt, with an untarnished name, for a time reaching far beyond the memory of man. And very uneasily, no doubt, from those lattices, with the crying infant lying helpless in the cradle near, was the progress watched of those who, more than a hundred years still later, rode fast and furious into the town, that they might help to make "Prince Rupert's burning love to England discovered in Birmingham's Flames."*

In that Gallorye Chamber, it is likely that the richly-wrought ornaments destined for the chapel of St. Blase, were talked over and determined on, and that some of them were worked by delicate fingers, before "Reformation" had risen in the land. In that Chamber, no doubt, rejoicings —belied, alas, by the event—were exchanged among the gossips, that, though the Priory of Birmingham was suppressed, the much older "Gild of Deritend" was safe, even in such revolutionary times. In that Chamber, tradition has it that Queen Elizabeth herself once passed a night.

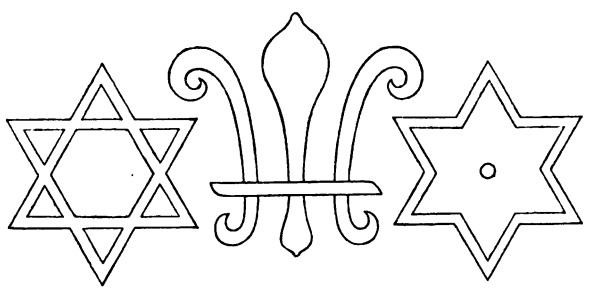
Dull indeed must be the imagination of whomsoever can look out of those lattice windows, or around the room, and not see rise before him many a picture of the past, as it has

* The sober statement of the facts, shows even more mischief to have been done on this occasion than might be supposed from the old tract that bears the above quaint title. I find it stated, in the contemporary "Perfect Diurnall," in my possession, that, on Tuesday, 11th April, 1643:—"By two severall letters this day from Brummingham in Warwick-shire, the cruelty of Prince Rupert in burning and plundering the Towne is confirmed; that there was 80 dwelling houses burnt to ashes, and all the goods that were in them; 15 men and two women burnt by the fire;" etc.

lived through the five hundred years of England's history that have gone by since first those lattices were looked through.

Between the two lattice windows is a fixed oaken table, covering a thicker beam of oak. It cannot be doubted that, on this table, the dames and maidens of the house were wont, in past times, to rest their distaffs and their broidery work, while they watched the incomers and the outgoers up and down the town.

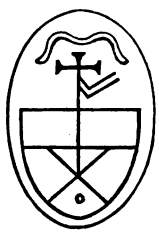
Above this table, on the slope of the ceiling, is a group of large symbolical figures, filling the whole space. Each of these figures is more than two feet in length. Their position has been already seen in perspective, in the sketch of the interior of the chamber. I give here an exact drawing of the figures themselves. The middle one is, plainly, much



older than those at the two sides. It is no doubt coeval in date with the house itself. The other figures seem to have been put up, in the space left vacant on each side of the older one, about the year 1517. The seal attached to a Deed of that year, bears the double triangle, exactly as this is seen in one of these figures; and it seems likely that he who was entitled, according to the customs of the free-masons, to bear that symbol on his seal, was the same who put up this figure, and the one corresponding to it on the other side, in this conspicuous place.

It should be remembered, that symbols do not belong

only to the ancient craft of "Masons." They were used, in old times, on seals and elsewhere, by others who sought to express a meaning different from that expressed by the more usual kinds of coats of arms. They were often used by Priests, to convey some memorial of the "arms of Christ." I give two sketches of seals in my possession which carry such symbols. The original of the upper one of these, is attached to a Deed, of the date of 1419, touching The Old Crown House itself; the original of the lower one is attached to a still older Deed, of 1361, touching property in Warwick. In each case, the seal is that of a Priest; and each seal displays a cross, with surrounding but differing symbols, instead of the coat of arms of an ordinary gentleman.



The true old type of timber house may be known, at a glance, from more modern "half-timber" houses, as they are called, by the greater simplicity of style. In such houses as The Old Crown House, the timbers show themselves, inside and outside, because timber is the mainstay of the building. It was at a much later date that pieces of timber were cut into fantastic shapes, and inserted into the fronts of houses; a practice which was, in fact, an architectural fraud. It was a violation of the very purpose for which timber was used in true timber houses. In The Old Crown House, no finical prettiness is attempted; but the whole is built with a massive simplicity of outline and style, which is relieved from baldness by the graceful carving of the front of the oaken beams that uphold each of the great gables, and, below this, by the broad moulded beam that runs round the whole of the lower part of the overhanging upper story, covering the ends of the joists that uphold this.

The carving now seen under the two great gables, is the original carving on the old solid oaken beams themselves. The front of the moulded beam below, had become much injured, indeed for the most part obliterated, by the putting up of sign boards and shop names. I have now restored this moulding along the whole front and western end,—that is, through the whole length which it ever occupied. Happily, enough of the original remained, and in a state sufficiently perfect, to enable this to be done precisely in the original shape and size. And the massive boldness of this moulding, as now seen restored, cannot fail to strike the eye.

"Restorations" are, too often, the exercises of fancy, spoiling some decayed relic of other times. Nothing of the sort has been done with The Old Crown House. It is now seen with more of the actual shape and face that it had when it was first built, than have been able to be seen for nearly two hundred years. What has been done is, simply, to remove overlaid deformities, which have long hidden the characteristics of the house; to replace known damaged parts; and to renew the windows. When the original house was converted into separate houses and shops, several bow-windows, of different sizes and shapes, were put out at front, and small and shabby windows were opened at the end; all of which were, of course, entirely inconsistent with the character of the original building. These have been now removed; and the simplicity of the front has been kept, as well as can be done, by putting in windows that do not thrust themselves out beyond the line of the lower story, and that have only plain stout bars from top to bottom. Above these windows, and all along the front, the old oaken joists supporting the overhanging upper story, which had been plastered over, and had long been hidden by all sorts of unsightly devices, have been cleaned out, and are now seen again as when the house was first built; and the effectiveness

of this simple architectural restoration is great. The place, though hardly the effect, of these open joists, is seen in the sketch of the side view of the house (on p. 9). The same sketch well shows the effect of the overhanging upper story, and of the still more overhanging "Gallorye Chamber;" while it also shows that the carved upper beams, with the gables over them, overhang, by a foot breadth, beyond so much of the upper story as they cover.

The strength and solidity of such houses lie in the frame-work. The face of the upper story is the thinnest part of the whole house, though giving no marks of weakness. But the way in which the spaces between the timbers are filled in, is the same everywhere, and is worth attention. *There are no bricks between these timbers.* But, along the whole length of each upright beam, both of the outside walls and of the inner division walls, there was cut, on each side, a notch or groove about an inch wide, and nearly as much deep; and in the spaces between the timbers, which spaces are somewhat wider than the beams themselves, there were laid, with the two ends in the grooves of the adjoining uprights, loosely packed short sticks, sometimes of cloven oak, sometimes apparently of hazel, cut with a sloping edge, and varying in size from half an inch thick to an inch. The grooves held these sticks fast in place; and then plaster was laid on, at each side, till the whole space was brought up level with the face of the oaken beams.*

The lastingness of wood, so built into houses, is well

* All the mainbeams of the House, upright and horizontal, are of great thickness, and are locked into each other with curious art. But, the frame-work being made thus thoroughly solid and strong, the outer walls and the inner division walls are of what would be an unsafe thinness in a brick house. These are only from 4 to 5 inches thick, and are formed of what may best be called *slabs* of oak, 4 inches thick and generally 9 inches wide, with the grooves on the narrowest sides, and filled in between as above described. But the whole of the framework, cross-timbers, and joists, are so solid and well locked together, that there is nowhere any mark that this thickness was not enough for the sides and divisions of the house.

proved by a comparison of this house itself with St. John's Chapel hard-by. The latter was built of (I believe) stone, about the same time as The Old Crown House,—certainly not earlier. But St. John's Chapel had already gone so much to decay 130 years ago, that it was obliged to be then pulled down and rebuilt; while The Old Crown House, built of wood, still stands in excellent condition; and I am assured, by experienced men, that there is not a house in Birmingham which it is not, even now, likely to outlast.

It was in 1684, as I find from statements in old Deeds, that The Old Crown House was first made into two houses; and it was in 1693 that it was made into three houses. Three houses it has ever since remained, though the arrangements of the parts are not now the same as they have always been.

These changes were made instead of pulling down the house; and I may safely add, that the preservation of the old house itself to this day, is owing to the Great Fire of London.

During the time of the Protectorate, he who was then owner of this house and of the rest of the estate, was a youth under age, who succeeded to it as heir to his father. He was but an infant when "Prince Rupert's burning love to England [was] discovered in Birmingham's flames." As he grew up, he was not content with the home that his fathers had occupied through many generations. Fifty years before, one of his uncles had gone to London, and had prospered there. And in London the kindred Grenes had, for many generations, been well-known citizens, and free of the renowned Gild of the Goldsmiths. So to London young Richard went, dreaming, no doubt, of all the glory of the Lord Mayor, and of the fame of that ancient and noble Corporation which, older than the kings and than the Parliaments of England, had, through untold ages, known how to maintain the liberties which it had inherited.

But "Richard Dyckson alias Bayleys"—for he rejoiced in these two always carefully repeated names*—did not take steps to join the Gild of his uncle Richard, albeit it was one of the twelve most famous of the London Gilds. He preferred the Gild to which the Grenes belonged. The books of the Goldsmiths' Company, still remaining in Goldsmiths' Hall, record that, on 18th December, 1657, Richard, the heir to The Old Crown House, "doe put myselfe apprentice unto Arthure Manwareing, Cittizen and Goldsmith of London, for the terme of seaven yeares from the feast of the annunciacon of the blessed Virgin Mary next comeing." He did not remain long with Manwareing; but transferred himself to Edward Grene. It is recorded in the Court Books of the Goldsmiths' Company that, on 27th April 1666, he was "sworne and made free by service." He became thus free of the ancient Gild of the Goldsmiths, and an admitted Citizen of London;—but otherwise he was less free than of yore. The attractions in Edward Grene's house were something more than the curious cunning of the Goldsmith. There was, it seems, a certain niece of his, who had smitten the susceptible heart of young Richard. When, in April 1666, he got himself enrolled, in due and lawful manner, as "Cittizen and Gouldsmith of London," he intended, no doubt, to settle there, and in due course to marry. But the fates had marked out other lines for him. Four months later, the Great Fire

* This is declared, by the learned in that science, to be the correct thing, *heraldrically*, when a man wishes to adopt a new name. There are many illustrations of the practice in the Deeds touching The Old Crown House. The example above named, lasted in use through several generations, and until the male line became extinct. In the recent discussions in Parliament as to changes of surname, I was able to illustrate the matter by these facts. See '*The Parliamentary Remembrancer*,' Vol. VI., pp. 48–50. The case of "Bermingham alias Brindejone," mentioned hereafter, p. 54, gives another very striking example of a change of name, through mere corrupt pronunciation. It is curious that the word "*alias*," formerly thus used solely to prevent the disguise or mistake of a man's name, has now become perverted to express names used only for concealment and disguise.

of London happened, which raised much hindrance in the way of the London life of even a young and prosperous Goldsmith. So his marriage was hastened, and he went back to the home of his fathers. His marriage settlement, which now lies before me, is dated 21st December, 1666; and thenceforth I find him making Leases of The Old Crown House, and, at a later date, dividing it into two houses, and afterwards into three.

Thus it was that the Great Fire of London saved this old house; which would otherwise, I cannot doubt, have been pulled down, for the sake of the great mass of old timber that it contains, and for the sake of which I have myself been advised to pull it down and sell the materials. But in saving the house, there has been saved, also, an object of interest of a very different kind. There has lately been found hidden in one of its rambling corners, and having escaped anybody's eye for several generations, a remarkable specimen of the close-grained thin Stone-ware of (I believe) the end of the sixteenth century. Ten inches high, of most elegant shape, and covered, on each side, with a group of figures in high relief and of superior workmanship, this was a fitting present for a bride leaving London for Birmingham, and a fitting ornament for the fine old house to which she went. That this was how the long-hidden treasure came into the house, I am not able to prove by direct testimony; but it seems the most probable explanation. As the ware is choice, and this specimen a fine one, I now give a sketch of one side of it. The group of figures on the other side is quite different from this, and represents the dispensation of the material gifts of Providence to man, as this group represents the dispensation of spiritual gifts.

No one can have looked at the Plan of Deritend here given, still less at The Old Crown House itself, without seeing that, when this House was built, there was no street

nor thoroughfare on any side of it except the front;—where, indeed, as I am informed on good authority, The Old Crown House was the mark and point whence the Miles out of

Birmingham used to be reckoned on the Mile-stones. The demesne lands of the Lords of Birmingham came up, on the left hand (west) side, close to the house, and were used as garden ground. On the other side, there was a house, also once the property of the Lords of Birmingham, but which will presently claim attention for a very different reason. Heath Mill Lane did not become a thoroughfare till after

the Lords of Birmingham had fallen. This lane cannot date earlier than the middle of the sixteenth century. The first time that I find it named, is in the Deed of a Settlement made, in 1589, upon John Dyckson alias Bayleys and Anne his wife, who were ancestors of that Richard who brought his wife, like a phœnix, out of the Great Fire of London. And, as this lane is called "Cooper's Mill Lane" in Bradford's plan of Birmingham, surveyed in 1750, while the name "Heath Mill Lane" has now been long restored to use, it is worth notice that, in this Deed of 1589, the name given is "Heathe Myll Lane."

As Heath Mill Lane, though three hundred years old, is new in comparison with this house itself, so other changes have grown up that make the state of things at a very recent date seem now incongruous. In an inventory of 1792, I find a tenant bargaining, in the "Garden," for "All the growing crops, 5 garden posts, 4 Alcoves, 5 Tables, Garden Gate and Fence." Another tenant, no longer ago than 1826, makes a bargain, in the same Garden, for "3 asparagus beds" and "all the fruit trees." "Growing crops" and "asparagus beds" and "fruit trees" will be searched for now in vain on either side of Heath Mill Lane; nor can there be said to be a "garden gate and fence." Here indeed rises a case of grievance and encroachment. The Plan shows that, in 1750, the boundary of the garden fence went out into the lane, even beyond that of the buildings on the side of Heath Mill Lane. At the present time, the boundary (now a wall) of the same ground, is several feet within that of the buildings standing exactly on the place so occupied in 1750. The explanation of this is, that family arrangements had, in 1717, made two holders of the distaff tenants for life of the place; and the town authorities thought them fair game. I find, in an old family memorandum, carefully put away a hundred years ago,—it being the only satisfaction for an

unredressed grievance that it should not be forgotten,—the statement, written down by an agent, that "She also complained of y^e^ Overseers of y^e^ highways, in repairing y^e^ lane, having taken off much of our Bank, so y^t^ she was afraid of y^e^ hedge. I mentioned it to Mr. Newey, who s^d^ he w^d^ speak to Mr. Rustin about it." Mr. Rustin, having done his worst, could easily be bland. But he and his encroachment were equally immovable: those aggrieved were women: and so the town has got the lane widened, at the expense of my land, without paying the "compensation" that was clearly due; but for which I should now apply in vain, I fear, to the Town Council, whose motto is "Forward."

Whoever has read these pages, will be well aware, and I am desirous that there should be no mistake about the matter, that The Old Crown House makes no pretensions to whatever sentimental interest hangs round the foundations or lineage of a baronial Castle, or of a mouldering Abbey. Its foundations and lineage may seem, in the view of some, to be of an humbler kind; but they are even older, in point of date, than those of many of the Castles and Abbeys of England; while they surpass all these in this, that The Old Crown House has lived through, and has outlived, the age of Castles and of Abbeys, and is yet a dwelling-house. It was a house built for the dwelling-place of one of that class of men from whose independence and spirit the History and the Liberties of England have had their life and strength; men who knew that true freedom hangs wholly on the ever active consciousness of duties to be done. It was built by a plain but free English Gentleman. It was long the private home of plain and free English Gentlemen. And, after the lapse of five hundred years, it is still a house which, if it remained one house with its surroundings, as when it was built, would be fit for any English Gentleman to dwell in, handsomely and in comfort.

It is very common to speak of " progress " as if our forefathers were barbarians, and as if, while a few were overbearing masters, the rest were all slaves. Such notions are not only absolutely untrue in themselves, but they imply a whole set of ideas that are the very reverse of the truth. The existence of The Old Crown House,—the dwelling-place built for and lived in by a private Englishman five hundred years ago,—gives, in itself, conclusive disproof of assumptions that are as mischievous as they are untrue. The truth is, that we are more linked with the past than sundered from it. Englishmen loved free institutions five hundred years ago at least as much as they do now, and they very thoroughly fulfilled their part in maintaining them. Their domestic life differed but little, in all that is essential, from the domestic life of our day. Nothing indeed can recall a pleasanter domestic picture, than what I find recorded in the two earliest Deeds in my possession touching The Old Crown House (A.D. 1401 and 1404), wherein I learn how William and Johanna his wife then dwelt in this house, while Agnes, his mother, dwelt rent free for her life in the cottage hard-by.

But the old Deeds and other documents that have come down, from generation to generation, together with The Old Crown House, bring to view men and things that have a wider interest than the private family circle. Institutions are there named, and persons are there named, that well bespeak this wider interest.

Without going into details that would here be tedious, I must recall attention to the fact, that the marked peculiarity of England, the true source of the life and strength of that spirit and tone which have assured her liberties, have been the existence, throughout her history, of " Institutions " which reach every man, as distinguished from the setting up

for worship of the selfishness and so-called "rights" of the individual man. Men, as members of Society, as living in constant relations to it, as owing duties to it, and as working out life's best ends by a constant regard to those relations and duties, are the only sort of men that can live in consistency with the fundamental idea of the English Constitution.

"Gilds" were associations of those living in the same neighbourhood, and remembering that they have, as neighbours, common obligations. They were quite other things than modern partnerships or trading "Companies;" for their main characteristic was, to set up something higher than personal gain and mere materialism, as the main objects of men living in towns; and to make the teaching of love to one's neighbour be not coldly accepted as a hollow dogma of morality, but known and felt as a habit of life.

The History of English Gilds has yet to be written; and no more interesting topic will ever have been taken up, than when a competent historian shall have undertaken this task. Shires we have, and Hundreds, and Cities, and Boroughs, and Parishes, and Corporations of other kinds. All these have their relations to the true GILD; and all will have their meaning and their value illustrated, and their spirit will become better understood, when the history of English Gilds comes to be truly written.

Gilds of comparatively modern origin have often been fond of parading some Charter, granted to them by this or that King: but English Gilds, as a system of wide-spread practical Institutions, are older than any Kings of England. They are told of in the books that contain the oldest relics of English Laws. The Old Laws of King Alfred, of King Ina, of King Athelstan, of King Henry the First, reproduce still older Laws, in which the universal existence of Gilds is treated as a matter of well-known fact, and in which it is taken to be a matter of course that every one belonged to

some Gild. As population increased, Gilds multiplied; and thus, while the beginnings of the older Gilds are lost in the far dimness of time, and remain quite unknown, the beginnings of the later ones took place in methods and with accompanying forms that have been recorded.

The "Municipal Corporations" of towns, are but the expansion of the purpose, and often of the fact, of an older Gild or Gilds in the same place. This is but illustrated by the fact, that sometimes the establishment of a new Gild, within the limits of an older corporate town, has roused so much jealousy that means have been taken to suppress the new Gild, under fear that it might supersede the old corporation. An instructive instance of this is found in the City of Exeter; where I find, by the old Rolls of Parliament, that, in the middle of the fifteenth century, a Gild, called the Gild of St. John the Baptist, which had only then existed for a few years, was suppressed on the prayer to Parliament of the old corporate Body of the Mayor, Bailiffs, and Commonalty of the City; who complained that the men of the City had joined the new Gild in such great numbers "that the Maier of the seid Cite may not gyde and rule the people youre Subgettes of the same, nor correcte suche defautes as ought by hym to be correcte, for the wele of youre peas, and goode gydyng of the seid Cite, accordyng to his oth, dutie, and charge; and over this, they oft tymes have made and caused to be made dyvers Conventicles, commocions, and grete dyvysion amongs youre people ther, contrarie to youre lawes and peas, in evyll example, and likly to growe to the subvercion and distruction of the same Cite, and of the goode, sadde, and polityk rule of the same, withoute due remedy be had by youre goode grace in this behalf."

It will be interesting to quote here some of the matters of fact set forth in the original Petition lodged in this case, as giving a good notion of the constitution and some of the

functions of these Gilds, at the same time that they explain the alarm and eye askance with which the older corporations sometimes looked on them.

"The said Cite is, and, of tyme that no mynde ys, hath been, an olde Cite Corporate, of Mayer, Baillifes, and Comynalte; and the Mayer therof for the tyme beyng, by all the said tyme, hath had and used to have the entier rule, oversight, and governance, of all Merchaunts, Mercers, Drapers, Grocers, Taillours, and all othir Artificers, inhabitauntes within the same, and the correction and punyshment of all offences within the said Cite, by theym or any of theym, or any other person, ther commyttid ayenst your Lawes, the comune wele, politike rule, and goode gidyng of the same Cite, under the protection and grace of your Highnes, and of your noble Progenitours; which Cite by the said tyme hath been well and quietly gydid, in goode tranquilite, peas, and quiete of the same."

But, on a time which the Petitioners bewail, some townsmen,—

"by supplication made unto your Highnes, opteyned your Lr̃es Patentes, berynge date the XVIIth day of Novembre, the VIth yere of your most noble Reign, that they, in the same Cite, a Gilde or Fraternyte, in the honour of Seynt John Baptiste, of the Men of the said Craft and other, myght make, unye, founde, create, erecte, and stablish; and that Gilde or Fraternite, so unyed, foundid, create, erecte, and stablishid, to have, holde, and enjoye, to theym and to their successours for ever; and that they the same Gilde or Fraternite myght augement and enlarge, as ofte and whenne it shuld seme to theym necessarie and behovefull; and that the Men of that Gilde or Fraternyte, in the Honour of Seynt John Baptiste, every yere myght have, hold, and encrese the said Gilde or Fraternyte, of the said Taillours and other psouns that they shuld receyve into the said Fraternyte; and chose, have, and make, a Maister and iiii Wardyns of theymself, as ofte as it shall please theym, or nede shuld be, for the governaunce of the kepyng and rule of the same Fraternite for ever, as best shuld please theym; and to make Ordynaunces among theymself, as to theym myght beseme most necessarie and behovefull

for the said Fraternyte; and over that, that the same Master and Wardeyns and their successours, shuld be perpetuall and have capacite; and over that, that they the seid Fraternyte or Maister, within your said Cite and in the Subburbis of the same, myght ordeign and rule, and the defautes of theym and of their Servaunts, by the sight of Men of the same Misterie, correcte and amende, as shall by theym seme best to be doon."

In other cases, such as London, Coventry, and many other places, more than one Gild was able to exist without the rousing of unseemly jealousies, and without the clashing of authority.

These Gilds were not, in any sense, superstitious foundations; that is, they were not founded, like Monasteries and Priories, for men devoted to what were deemed religious exercises. Priests might belong to them, and often did so, in their private capacities. But the Gilds were lay Bodies, and existed for lay purposes, and the better to enable those who belonged to them rightly and understandingly to fulfil their neighbourly duties as free men in a free State. It is indeed a curious but unquestionable fact, that women often belonged, also, to these Gilds; and even the title of many of them often ran as "Master, brethern, and sustern *"; and they are many times so recognized on the Rolls of Parliament. It is quite true that, as the Lord Mayor, and Lincoln's Inn, and many other as well known personages and public Bodies, have, to this day, a Chaplain, so these old Gilds often took measures, and made payments, to enable the rites of religion to be brought more certainly within the reach of all who belonged to them. This was one of the most natural and becoming of the consequences following from their existence and character. It did not make them into superstitious Bodies.

* This preservation, on the Rolls of Parliament, of the old English form "*su*ster," instead of the corruption "*si*ster," and of the old English plural in *n*, instead of *s*, is worthy of remark.

These old lay Gilds often invoked the patronage of some Saint. The Gild of Exeter which so much roused the jealousy of the older corporate Body of that City, has been seen to have given itself a name in "the honour of St. John the Baptist"; and the renowned Gild of the Merchant Tailors of London, of which the Duke of Wellington and Sir Robert Peel were formerly brethren, and of which Lord Derby and the Prince of Wales are now brethren, bears the name of "The Gild of Merchant Tailors of the Fraternity of St. John the Baptist in the City of London." The ancient formulary, still used on the admission of every new "brother," repeats this as the name of that Gild. Other Gilds appropriated other such titles; but it will presently be seen that I have a special reason for naming these two Gilds of St. John the Baptist.

As the Gilds sought to maintain good neighbourly feeling in every way, it followed that they had frequent meetings-together, at which every man became personally familiar with what it was to belong to a public society, and to feel himself a member of the State. Out of this there grew the custom of having official dresses; and the attendant bedels and others wore, like the servants of great men, distinguishing garbs, or "liveries." When it was first attempted to put down extravagance by sumptuary laws, Gilds were included by name; and it was sought, in Richard II.'s time, to stop the use of liveries by the Gilds, under penalty that they should lose their franchises, or pay one hundred pounds to the Crown. But the Gilds were too strong to be thus shorn of the show of their bravery. The sumptuary law of twenty years later, though again prohibiting the use of liveries by Archbishops, Bishops, and all other Lords and great men, spiritual and temporal, and reciting and reinforcing the enactments of Richard II., expressly adds:—"Gilds and Fraternities, and Crafts in the Cities and Boroughs

of the Realm, *which are founded and ordained to good intent and purpose*, alone being excepted." And more than fifty years still later, in the time of Edward IV., the Rolls of Parliament again show an exception from the sumptuary laws, in the case of any livery "yevyn by eny Gilde, Fraternite, or Crafte corporate, or by the Meire or Shirrefs of London," &c.

The great importance and influence of these Gilds could hardly be more clearly marked. These will be more fully understood when it is added, that the same Rolls of Parliament from which I have gleaned these facts, record how, on the most solemn occasions when guarantees were given of the rights, liberties, franchises, and possessions of public Bodies, and when assurances were registered against any danger of encroachment or forfeiture, the "Masters, Brethern, and Sustern of Gyldes and Fraternitees" are, over and over again, enumerated by the side of Mayors, Sheriffs, and Commonalties. The instances of this are too numerous to be quoted, but it is important to bear the fact in mind. All these Gilds had the fullest Parliamentary guarantee for the inviolability of all their rights, functions, and property. We shall see how much this availed to save them from the hands of unscrupulous spoilers.

It is told by Dugdale and by Hutton how there flourished in Birmingham, in the olden time, "The Gild of the Holy Cross"; though neither of those writers seems to have known anything about the history, functions, or possessions of that Gild. And certainly neither of them gives the slightest hint that any older or other Gild than this Gild of the Holy Cross ever existed in Birmingham. But I have now to state, that there did exist in Birmingham another and an older Gild than the Gild of the Holy Cross. This fact I learn, and it is put beyond the reach of question, by a long and numerous series of Deeds, extending over more than two hundred and

fifty years, concerning The Old Crown House. I find the name, and mention of some of the possessions, of this Gild, repeated in Deed after Deed; and I find, at a critical time, the name of the Master of the Gild himself, recorded as a witness.

If the reader will look at the view of The Old Crown House that accompanies these pages, and, after contrasting with the old house itself that most marked token of modern times—the railway seen in the distance on the left, will carry his eye to the right, where a carriage is coming up the street, he will see, between The Old Crown House and a tall modern house, a low roof. That roof covers, and precisely marks, ground that was once a possession of "THE GILD OF ST. JOHN THE BAPTIST OF DER-YAT-END."

Deritend being the oldest part of the town of Birmingham, it was natural that a Gild should have been established there, long before one was established in the later growth of Birmingham. This Gild of St. John the Baptist was well endowed; and sustained itself, without quarrel or jealousy, after the younger "Gild of the Holy Cross" had become established by its side. So far from jealousy, the most distinguished member of the Gild of St. John the Baptist of Deritend took a leading part, as I shall presently show, in the founding of the Gild of the Holy Cross.

It is commonly supposed that Birmingham had no municipal corporate existence until the Charter under what is called the Municipal Corporation Reform Act. This is another mistake; and Hutton, in his pleasant gossip about Birmingham, which he calls "An History,"—but no History of Birmingham has ever yet been written,—makes no mistake so great as when, after enumerating certain officers, he adds:—"All which, the constables excepted, are no more than servants to the lord of the manor; and whose duty extends no farther than to the preservation of the manorial rights."

Birmingham was known, centuries ago, by the usual corporate styles and titles of "Bailiffs and worthy men," and (what is, in effect, the same) "Bailiffs and Commonalty." There is a record extant, five hundred and fifty years old, touching the paving of the streets, which is officially addressed "To the Bailiffs and worthy men of the town" [Ballivis et probis hominibus villæ de Birmingham]; and others of the same kind might be cited. It is thus shown that Birmingham was a corporate Body, and fulfilled its duties as such, long before the modern Corporation was invented. But Birmingham gives an instance where the corporate functions became almost merged in, and were effectually exercised by, the Gilds, after the establishment of the second Gild in the upper part of the town. Hence it followed, that Birmingham, as a corporate town, received a heavy blow when its two ancient Gilds were given over to the spoiler.

To make this part of the story as clear as can be done in this short space, it must be stated that, at the beginning of the reign of Henry VIII., there flourished in Birmingham, besides the ancient Gild of St. John the Baptist of Deritend, and the more modern Gild of the Holy Cross in upper Birmingham, the following foundations:—

The Priory of St. Thomas the Apostle.

The Chapel of Deritend.

The "Free Chapel" of Birmingham: founded, for Divine service, by the old Lords of Birmingham.

The *First* Chauntry, for celebrating Divine service daily at the Altar of St. Mary, in the Church of St. Martin: founded by Walter Clodesdale.

The *Second* Chauntry: founded by Richard Clodesdale and Alice his wife.

These five foundations were all of them strictly and exclusively religious: the two Gilds were both of them lay.

How the Abbeys, Priories, and such foundations, were

dealt with in the time of Henry VIII., it is not necessary to do more, now, than simply recall to mind. The character of those foundations was not consistent with the spirit of the Reformation. But the proceeds of that enormous confiscation were not applied to the purposes to which Parliament had devoted them. Hungry courtiers were fattened upon the plunder; and the sight soon whetted the appetite of others. Casting about to see what other plunder could be got, to be appropriated by themselves, these needy parasites, in an evil hour, bethought them of bundling up together Chauntries, Free Chapels, and Gilds. To them, the Parliamentary guarantees, which made all honest men suppose the Gilds safe, were things only to be laughed at, if they stood in the way of the gratification of their own lusts. It is true that the mere selfish unscrupulousness of this daring act of plunder, was so barefaced, that even the impudence of these men did not venture to call it a thing done in the name of religion, though they unquestionably relied upon the case of the Abbeys being treated as a precedent. The Act of 37 Henry VIII., chapter 4, passed in 1545, put this wanton and wicked pillage of public property as necessary "for the maintenance of these present wars;" but it also cleverly put into one group "Colleges, Free-chappelles, Chauntries, Hospitalles, Fraternities, Brotherhedds, [and] Guyldes." The Act of 1 Edward VI., chapter 14, was still more ingenious; for it held up the dogma of purgatory to abhorrence, and began to hint at Grammar Schools. The object of both Acts was the same. All the possessions of all Gilds, except what could creep out as being trading Gilds (which saved the London Gilds), became vested, by these two Acts, in the Crown; and the unprincipled courtiers who had devised and helped the scheme, gorged themselves out of this wholesale plunder of what was, in every sense, public property.

The marvel is, how Parish Churches and their endowments

were left unplundered at this time. There was, of course, just the same "superstition" taught and practised, before the Reformation, in the Services performed in these Churches, as there was in the Free Chapels and Chauntries; and the same reasons which could justify robbing Birmingham and Deritend of four ancient Chapels and Chauntries, applied, with full force, to all Parish Churches. Happily, the plunderers very illogically stopped short here, and have left us the old Parish Churches.

As to the Act of 1 Edward VI., the most sweeping of the two, Bishop Burnet tells us that, "the late King's Executors saw they could not pay his debts, nor satisfy themselves in their own pretensions, out of the King's Revenue; and so intended to have these [Gild-Lands] to be divided among them;" and the Parliamentary History records how "part of these goods and lands, being sold at a low value, enriched many and ennobled some." But Burnet throws additional light on the matter, by telling us the manner in which the Bill was got to be passed through the House of Commons:—

"It being sent down to the House of Commons, was there much opposed by some Burgesses; who represented that the Boroughs for which they served, could not maintain their Churches, and other public Works of the Guilds and Fraternities, if the Rents belonging to them were given to the King; for these were likewise in the Act. This was chiefly done by the Burgesses of Linn and Coventry; who were so active, that the whole House was much set against that part of the Bill for the *Guild-Lands*. Therefore, *those who managed that House for the Court, took these off by an assurance that their Guild-Lands should be restored to them. And so they desisted from their opposition; and the Bill passed on the promise given to them,* which was afterwards made good by the Protector."

The fraud practised upon Parliament, and under cover of which alone this Act was got to be passed, is unquestionable; but Burnet's statement, that the promise made by the Protector Somerset "was afterwards made good," is untrue. The

proof of this is very simple. Not one penny's worth of the Gild-Lands of the Gild of St. John the Baptist in Deritend was ever restored to the rightful owners: and, though part of the Gild-Lands of the Gild of the Holy Cross was given over for the foundation of a Free School in Birmingham, a very large part of those lands went to fatten the spoilers. Of the latter, it will be enough if I now name two parcels in Deritend,—the one being "a tenement in Deryatend next the tenement of Thomas Greves" [then the occupier of The Old Crown House], the other being "a tenement in Deryatend *next Heath Myll;*" and, at the other end of the town, "a tenement next le Dale-end Barres," and "a tenement called le Dale-hall;" besides lands in Edgbaston.

At the time of this confiscation of Gild-Lands, the Gild of the Holy Cross formed a main part of the Municipal life of Birmingham. The chief building belonging to the Gild was in New Street, where the Free School now stands, and was called, indifferently, "Gild-Hall" and "Town-Hall." It cannot be doubted but that the development of the Town was thrown back, for very long, by the forcible end put, for the sake of the plunder, to the life of these Gilds. The truth of this is illustrated by what was obliged to be admitted by those who certainly desired to make things pleasant, but who had to make an official report at the time, and before the foundation of the Free School.

After making statements as to some of the funds and expenditure of the Gild of the Holy Cross, the report goes on to acknowledge that,—

"Theare be relieved and mainteigned uppon the same possessions of the same guilde, and the good provision of the M^r^ and Brethern* therof, xij poore persons, who have their howses rent free, and all

* "Master, brethern, and sustern," was the correct title of this Gild. I have before me, while I write, an original Lease of a shop granted by this Gild, on 10th March, 1426.

other kinde of sustenaunce, as well ffoode and apparell as all other necessaryes.

"Also, theare be mainteigned wth parte of the premisses, and kept in good reparacions, two greate stone bridges, and divers foule and dangerous high wayes, the charge wherof the towne of hit selffe ys not hable to mainteign; so that the lacke thereof wilbe a great noysaunce to the Kings Ma^{ties} subjects passing to and from the marches of Wales, and an utter ruyne to the same towne, being one of the fayrest and moste proffituble townes to the Kinges highnesse in all the Shyre. The said towne of Brymyncham ys a verey mete place; and yt is verey mete and necessarye that theare be a free schoole erect theare, to bring uppe the youthe being boathe in the same towne and nigh thereaboute. Howselinge peaple* in the same Paroche of Brimyncham, 1800."

The town was not quite brought to "utter ruin," as it was thus foreseen that the destruction of this Gild promised danger of; but those who fattened on the plunder, would have remained quite indifferent to the ruin of this or any other town. The facts stated in this report give strong proof of the activity and usefulness of these Gilds.†

In 1524, the Master of the Gild of the Holy Cross was John Locok [no doubt the modern Luckcock]. He was witness, on 10th April in that year, to a Deed executed by Edward Birmingham, the last of the old Lords of Birmingham, touching property that has been, for very many generations, in the possession of my ancestors, together with The Old Crown House; and which is, with this Deed itself, still in my possession. The spot, as well as a footpath named in this same Deed, are marked in the Plan, within the dark outline nearer to the river Rea than The Old Crown House.‡

* That is, communicants. There were 2000 in 37 Hen. VIII.

† It is satisfactory that the Free School of Birmingham upholds the credit of the old Gild. In the Report of the Education Commission, laid before Parliament in 1861, the place of honour among the Free Schools of England is given to that of Birmingham.

‡ The footpath here named is quite distinct from the one named before, p. 6, as leading from the garden of The Old Crown House to the river. The banks of the stream were a pleasant stroll before the water became befouled. But it is

This "Master" signs himself, "Master of the Gild *of the Invention* [*i. e.*, finding] of the Holy Cross;" which no doubt was the correct full name, though the Gild was commonly called by the shorter name of the "Gild of the Holy Cross."

I have already said, that not one penny's worth of the possessions of the Gild of St. John the Baptist of Deritend was, as promised by the Protector Somerset, restored to Deritend. Those possessions were large. In the Deeds and documents in my possession, as muniments of title to The Old Crown House, a large part of those possessions is enumerated, inasmuch as several parcels near The Old Crown House were bought, by my ancestors, from those whose fortunes were improved by becoming, under a Patent of 28th June, in the third year of King Edward VI., the original grantees of this ill-gotten plunder. From these documents I learn, that many houses and gardens lying eastward of Deritend Chapel, were among the possessions of this Gild. The boundary on the South side, was a field belonging to the Lords of Birmingham, planted with birch trees, and which must have formed a fine object on the rising ground, as seen from the windows of the old Manor House of Birmingham. It was called "Byrchehill;" and I have set down the name on the Plan, that the position of it may be known. This old name is still preserved there, under the corrupted shape of "Birchall Street."

But the Gild of St. John the Baptist of Deritend, had, also, possessions on the other side of the same street, as well as others in Moseley, Saltley, Castle Bromwich, Handsworth, and Erdington. In most cases, it is of course hard to identify particular properties at this distance of time. But I am

certainly remarkable that a private walk of this kind should have remained unchanged for so long. It is specially named in this deed of 1524; it is in Bradford's Plan; and I have before me, while I write, three rough sketches of the ground, all made in and between the years 1800 and 1808, in each of which this "Walk to Water" is marked down in the same place.

able to do this with exact precision, in the case of the piece of ground next to The Old Crown House, and which has already been stated to be shown in the view of that house which accompanies these pages. By a comparison of old Deeds from the year 1404 to 1673, I can affirm, as facts beyond the reach of doubt, that a house stood there, before the year 1404, which was part of the demesne possessions of the Lords of Birmingham; that the Lord of Birmingham gave that house to the Gild of St. John the Baptist of Deritend, in one of the years from 1419 to 1421; that, at the time of the iniquitous plunder of Gild-Lands in Edward VI.'s time, one Thomas Syre [or Syer: it is spelled both ways] lived in this house, and that his family dwelt there for more than one hundred years; and that, in a Lease granted of The Old Crown House by my immediate ancestor, in 1673, this adjoining house is particularly described as "Syer's House;" and it is declared to be "the mind and intent" of the grantor of this Lease, "to build up all that decayed messuage, house, or tenement, next adjoining to the above demised messuage [The Old Crown House], commonlye called Syer's House;" and he reserves the express right to come and go through the court yard of The Old Crown House, for all purposes necessary to the pulling down and rebuilding of Syer's House. In the same lease, the tenant is bound to "make up the walls next Syer's House [*i. e.* bounding the open ground shown in the plan, on which now stands the modern house seen to the extreme right in the view, and which is still part of the estate] with good and substantiall brick panes." It would not be possible more indisputably to identify a spot, made interesting by having once been the possession of a wealthy Gild, which was robbed of its possessions and its life together, by acts of fraud and violence perpetrated more than three hundred years ago.

The carelessness and ignorance with which the reports

were made on the Gilds, Chapels, and other objects on which the greedy spoiliators fastened, after the Act of Confiscation had been got to be passed by means of the fraud practised upon Parliament, and in the hurry to satisfy the hungry Courtiers who then abused the name and authority of Edward VI. (himself at that time only a little boy), is something astounding. The possessions of the Gild of St. John the Baptist of Deritend are confused with an imaginary "Chauntrie of Deriatende," in the most admired confusion; and, to make the confusion worse confounded, we are gravely informed, in the MS. record of the reports which I am now quoting, that "Ther is a chappell at ease for the same towne of Deriatend, beinge divided from their paroche churche w^{h} a greate ryver;"—this "chappell at ease" being Deritend Chapel; the "paroche church" being the Old Church of Birmingham;* and the "greate ryver" being that noble stream the Rea!

Two persons of the names of Fisher and Dabrigecourt were the lucky grantees of all the possessions of the Gild of St. John the Baptist of Deritend, as well as of those of the well-endowed Free Chapel of Birmingham. This Fisher was a creature of the Protector Somerset; and it was, of course, much more convenient to the Protector to hand over some of the plunder of Birmingham to Fisher and his friend, than to fulfil his pledge to restore the Gild-Lands. This Grant was made on 28th June, in the third year of Edward VI. It was not thought worth while to be in so much hurry with the Grant to found the Free School. This was not made till the fifth year of Edward VI.†

* The reporters were bound by their Instructions, to state, "how far space or distance the said Chauntries and Chappels be and stand from the Parish Churches of *the Parishes wherein they do stand.*" According to this, Deritend is within the *Parish*, as well as within the *Lordship*, of Birmingham!

† I am indebted to the courtesy of Mr. George Whateley, for furnishing me with an authentic and literal copy of the Free School Charter, as printed for the use of the Governors.

On the 1st March, 1517, I find, as witness to a Deed touching The Old Crown House,—the same Deed that bears the seal showing the symbol now to be seen in The Gallorye Chamber,*—"Baldwin Broke, Master of the Gild of St. John the Baptist of Derytende." This Baldwin Broke, or Brooke, as it is spelled in later Deeds, was the head of a wealthy Deritend family; and I believe that he and others did what they could to save the possessions of the Gild from the hands of the spoiler. After the wholesale grant to Fisher and Dabrigecourt, they re-bought, among them, a large part of the houses and lands that had belonged to the Gild of which they had been members. For a short time, one of this Brooke family lived in The Old Crown House itself; though, as it is well known in Birmingham and Bristol that the name "Brooke" has long been a name used among my family, it should be added, that the use of this name was not derived from this source. It began in the much later circumstance, that Colonel John Bridges, who was attached, as Captain, during the early part of the Civil Wars, to the regiment of the Lord Brooke, of Warwick Castle, remained, after the Lord Brooke had been killed at Lichfield, in March 1643, at Warwick Castle, of which Castle he was for some years Governor. A son was born to him in that Castle, in 1644, to whom he gave the name "Brooke," out of regard to the memory of his late friend and commander, that model of the gallant English gentleman, the Lord Brooke. It has remained a family name ever since, in two branches of the descendants of this Colonel Bridges.†

* See before, p. 17.

† It is enough, as to kinship, to say here, that the grandmother of my great-grandfather, Mr. Joseph Smith, of Hey Hall, near Birmingham, was a Miss Bridges. But, as the time above named is one of very special historical interest to all Englishmen, it will not be unacceptable to Warwickshire men if I add a few particulars as to my ancestor, who was then Governor of Warwick Castle.

In a curious Volume of contemporary Ordinances, Broadsides, etc., in my pos-

Identified not only with the Gild of St. John the Baptist of Deritend, but with the Gild of the Holy Cross in upper Birmingham, is a name that all Birmingham men ought to hold in high respect. ROBERT O' THE GRENE was a prosperous gentleman, a thorough Englishman, and one who knew that it was his duty as an English gentleman to be ever for-

session, collected by Major-General Skippon, and bearing his autograph, I find Colonel Bridges several times mentioned: first, in the Army List of 1642, as Captain in the Lord Brooke's Regiment; again, in an Ordinance of February, 1647, as a Commissioner for raising taxes in Warwickshire; again, in an Ordinance of December, 1648, as a Commissioner for settling the Militia in Warwickshire. From original copies of the contemporary journal called "Perfect Occurrences," in my possession, I find it reported to Parliament, on Monday, 15th December, 1645, that "The Committee of Coventry ordered the Warwick and Coventry foote to be sent out by Collonel Bridges, the Governor of Warwick Castle, to stop the enemyes passage." And in the same journal I find it further recorded, on Wednesday, 17th December, 1645, that,—"This day there came intelligence, that Collonel Bridges had received 200 foot from Coventry, with which and the Warwick foot, according to the Orders from the Committee of Coventry, he marched out of Warwick on Saturday morning last; where (having broken down the Bridge at Stratford-upon-Avon, which is the direct way from Banbury to Worcestershire, about some 13 miles on that side) he caused all the Fords of the River to be digged up, to stop the passages on that side of Warwickshire; he also lined the River with Musketiers, at all passes between Warwick and Eusham, which is about twenty miles, and so stopped the passage of the King's men, that they could not get over; so they were forced to withdraw back again, and marched that night towards Banbury. Our foot continued in that posture untill they were gone, and on the Lord's day at night, Collonel Bridges drew them into Warwick." There is some correspondence between Sir Samuel Luke and Colonel Bridges, in 1645, printed in the fourth volume of the third series of Ellis's "Original Letters illustrative of English History."

Sir Brooke Bridges, Bart., of Goodnestone Park, M.P. for Kent, has in his possession evidence that Colonel Bridges was still Governor of Warwick Castle in 1647. But I think that the execution of King Charles I. was a step which Colonel Bridges, like many other of the staunchest maintainers of the liberties of England against encroachment in those eventful days, was not prepared to sanction. Without going more fully into the matter here, I will add, that the "Perfect Occurrences," already quoted, prove that there grew trouble in Warwick immediately upon the execution of the King, and that all that can be said, on the 6th February following, is:—"Of the Warwicke businesse, those things perhaps may be composed." But it seems that they were not composed, and that Colonel Bridges refused to remain Governor of Warwick Castle; for, in No. 311 of the contemporary "Perfect Diurnall," also in my possession, I find Major Hauksworth stated to be approved by Parliament, as Governor of Warwick Castle, in the middle of the same year.

ward to give a hand towards whatever good work was doing, which might help the sound welfare of his neighbours;—and who fulfilled this duty.

It is my belief, founded upon a comparison of all the Deeds and documents, that The Old Crown House was built by Robert o' the Grene, and was afterwards given by him to his daughter as a marriage portion. I know, by the direct statements made in several Deeds, that he remained owner of the ground to the West of The Old Crown House, where is now Heath Mill Lane, and where, soon, the Corporation of Birmingham will build a Public Library. Later, he sold this land to the Lord of Birmingham of that day; but so much was his memory respected, that the land was still described, nearly a hundred years afterwards, as "formerly of Robert o' the Grene."

The Gild of St. John the Baptist of Deritend being an old Gild, bound together all the neighbours there in a close bond of good-will; and it was felt that, as the place was within the Lordship of Birmingham, and all real connection with Aston Parish had, in fact, long ceased, it would be well if an arrangement could be made by which Deritend should cease to have, even nominally, a connection with the Church of Aston Parish. It was well enough to have been once known simply as the "End" of Birmingham nigh the "Deer-Gate" of Aston, and to have retained that old name.* But DER-YAT-END had long been the chief town-part of the

* It is note-worthy that, in none of the older Deeds is the slightest mention made of Aston. Deritend is always described as "in the Lordship of Birmingham." Without entering here on any questions of etymology, I have no doubt that the name "Deritend," which I have spelled on the title-page with the most usual spelling, is simply descriptive of the *end* of Birmingham near the "deer-gate;" that is, near to the common way into the woodlands of Aston. From the Domesday Book we learn that, in Aston Parish, there was woodland at least (probably more, in modern measure, than) three miles long, and half a mile broad. The letters "G" and "Y" are often used indifferently. Other examples of this have been seen in quotations given above,—where, for example, "*against*" is spelled "*ayenst*," and "*given*" is spelled "*yevyn*" (see pp. 30, 33).

Lordship of Birmingham itself, and was known to all the world in that character only.

The only way in which this object could be accomplished was, to build and endow a Chapel in Deritend, so as to make this into a separate Chapelry. Happily, the existence of the ancient Gild there, made this a work of less difficulty than it would otherwise have been, and supplied, at the same time, a name for the new Chapel. And Robert o' the Grene was the man to take the lead in such a work. Accordingly, the Patent Rolls of Richard II. show, that a licence in mortmain was issued, in the sixth year of that reign, to William Geffon, Thomas Holden, Robert o' the Grene, Richard Bever, Thomas Belne, and John Smyth, to endow a chaplain to perform divine service, and fulfil the ordinary duties of Parish Priest, in the lately built Chapel of St. John the Baptist in Deritend.

To the occupiers of The Old Crown House, as representing one of the founders of Deritend Chapel, seats in that Chapel have always belonged; and I find that, since the abuse of pews grew up in English Churches, care has been taken, as is recorded in several old memoranda and valuations in my possession, to keep an exact account of the number and places of the sittings belonging to the House.

With the carelessness that seems to mark all the reports made under the Act of 1 Edward VI., chapter 14, I find this Chapel and the old Gild jumbled together under the false name of a "Chauntrie" (which was clearly done in order that all the possessions and endowments of both might be seized); and it is said that,—

"The Chauntrie of Deriatende hath no foundation, but a certaine composicion or ordenaunce betwene the P^r^or and Monks of the late Monasterye of Tykforde, being patrones of the paroche of Aston nere Brymyncham and Deriatend, on thone partye, and S^r^ John Brymyncham Knight and thinhabitaunts of Deriatend on thother

partye, w^h^ thassent of one Robert, Bysshop of Coventre and Lichefeld, that the inhabitaunts of the said Hamlett of Deryatend shollde have a priest to celebrate divine service in Chappell theare newelye therefore erecte, and to minister all maner off sacraments and sacramentalls (buryings onely except)."

It seems that, at the time when, under the false pretence of its being a "Chauntrie," this Chapel (really the Parish Church of the Hamlet) was pillaged, there were "plate and jewells thereunto belonging," as well as "goods and ornaments." Of the former, it is recorded,—"Whereof one crosse, wayinge l [50] oz., ys remayninge in the hands of S^r^ Fulke Gryvell, Knyght [not the Sir Fulke Greville who was, later, created Lord Brooke, of Warwick Castle] in gage for £4; and the chalice in thhands of the Incumbente, vj oz."

But Robert o' the Grene not only took an active part in the Gild of St. John the Baptist of Deritend, and in the endowment of Deritend Chapel. He also appears at the establishment of the Gild of the Holy Cross. As this matter has been often mis-stated, it is well to say, that a licence in mortmain was issued in the sixth year of Richard II., to enable lands to be given, in Birmingham and Edgbaston, for the endowment of two priests "in honor of Holy Cross, S. Thomas the Martyr, and S. Katherine, in the Church of S. Martin of Birmingham." But nothing came of this. Ten years later, the inhabitants of the town bethought themselves that it would be well to found a Gild in the upper part of the town;—no doubt urged to this by seeing the good done by the old Gild of St. John the Baptist of Deritend. Accordingly, in the sixteenth year of Richard II., a writ was issued, as usual in such cases, for an inquiry to be made as to the fitness of the thing. The writ recites the abortive licence in mortmain of ten years earlier: it goes on to state, that "the Bailiffs and Commonalty of the town of Birmingham" were desirous to found a Gild in honour of the Holy

Cross. The inquiry was held on the Saturday after the feast of St. Peter ad vincula, in the sixteenth year of Richard II., that is, on the Saturday after 1st August, A.D. 1392. Among the twelve Birmingham men who are recorded as having, on that day, made full inquiry on a matter so important to the interests of the town, the second name found is that of Robert o' the Grene.

In Deeds following those to which Robert o' the Grene was a party, I find the names of several persons,—Mychell, Seggesley, and others,—both as principals and witnesses, who were shortly afterwards concerned, though on different sides, in a great affray of which Johanna Beauchamp was the chief instigator, and in which several men of Birmingham and Fillongley took an active part. This Johanna Beauchamp must have been the wife of that Richard Beauchamp, Earl of Warwick, who played so great a part in the reigns of Henry IV., V., and VI., and who died in 1439; and she was thus the mother of the Henry Beauchamp who was created Duke of Warwick and King of the Isle of Wight, and who was next followed in the title by Warwick the King-maker.

Into the particulars of this affray, which seems to have begun in a quarrel between the Beauchamps and the Burdetts, it is needless now to enter. The affair was important enough to be brought before Parliament; and a long record of the transaction remains on the Rolls of Parliament, in which are found, often repeated, the names of several of the persons whose names I find, under very different circumstances, in the contemporary Deeds which have handed down the early history of The Old Crown House.

A few years more, bring me to a document that is equally rare and curious, being no less than an original "Indulgence" granted by the Bishop of Worcester, in 1465. This Indulgence was granted for gifts made to a Chapel of Saint Blase; and it promises forty days of Indulgence for every time that,

on the day of Saint Blase, certain prayers are repeated and genuflections made "with a devout mind." The episcopal seal of Worcester is still attached to this Indulgence, in a very fair state of preservation. Originals of such documents, thus *personal*, are so uncommon, that I give here a copy of the present one, with the words, which are very much contracted in the document itself, set forth in full:—

"Universis sancte matris ecclesie ffilijs presentes literas inspecturis Johannes permissione divina Wigornie Episcopus Salutem in eo per quem fit Remissio peccatorum Considerantes bonum zelum ac pium desiderium que predilectus nobis in Christo filius Thomas Wybbe Armiger habet et gerit ad reparacionem ecclesie sive capelle de Shelsi nostre diocesis in honore sancti Blasij Episcopi dedicate ac vestimentorum et ceterorum ornamentorum eiusdem donacionem De omnipotentis dei misericordia et beatissime marie matris eiusdem ac beatorum apostolorum petri et pauli necnon sanctorum confessorum Osebaldi et Wolstani patronorum nostrorum ac omnium sanctorum meritis et precibus confidentes omnibus vere penitenter confessis et contritis qui in die sancti Blasij singulis annis ad dictam capellam accesserint et ibidem devota mente quinquies paternoster cum salutacione angelica et simbolis apostolorum genuflectando dixerint tociens quociens xl^{a} Dies indulgencie concedimus per presentes Datum nostro sub sigillo in manerio nostro de Alvechurch xxiij^{o} Die mensi Januarij Anno Domini millesimo cccclx^{o} quinto Et nostre Consecracionis Anno Vicesimo secundo."

The John, Bishop of Worcester, who granted this Indulgence, was succeeded in that Bishopric by another John, who was a much more famous man than himself. John Alcok was, in turn, Master of the Rolls, Bishop of Rochester, Ambassador to Castile, etc. In 1476 he was translated from Rochester to Worcester, of which diocese he remained Bishop for ten years, when he was again translated to Ely. In 1478, he was Lord President of Wales. He was Lord Chancellor of England at the beginning of the reign of Henry VII.; and he made a very remarkable speech at the opening of Henry VII.'s first Parliament, which speech remains recorded

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on the Rolls of Parliament.* He founded a school at Kingston-upon-Hull. He was highly distinguished, also, for his taste and liberality in building. It will thus be seen, that John Alcok was a man whose life has left its stamp on many and widely separate parts of England. It ought to surprise no one that Birmingham is not without some memorial of so distinguished a personage.

One of the most interesting, as well as most fairly written, of the Deeds relating to The Old Crown House, is one in which this John Alcok, then Bishop of Ely, stands first named, and to which his seal, in perfect preservation, is still attached. There is a tradition that he once dwelt in the house: it has even been alleged that he built it. But it was unquestionably built long before his time: and, though no doubt his good taste could not fail to be pleased with the style and proportions of the house, I can find no direct proof of his having ever lived there.

Indeed there is much difficulty in understanding how the Bishop of Ely came to have anything to do with The Old Crown House; as to which, however, he does, in this Deed, acts that imply ownership. The difficulty is increased by the fact, that he is here named, though first in order, yet jointly with another well known historical name,—that of Edward Grey, Lord of Lisle,—as well as with another, less well known. A facsimile of this interesting Deed is here given. I am forced to conclude that, amid the troubles that attended Bosworth Field, or which followed it, the owner of The Old Crown House became so much involved that a technical forfeiture followed. Be that as it may, such precautions had been taken, that the transaction to which Bishop Alcok and the Lord of Lisle were parties, did not affect the ultimate title and ownership.

* I have quoted some passages of this remarkable speech in "*The Parliamentary Remembrancer*," Vol. VI. pp. 1 and 12.

The Edward Grey, Lord of Lisle, who is, with Bishop Alcok, a party to the Deed just named, gives a coincidence that is of special interest in what concerns memorials of old Birmingham. A daughter of this Lord of Lisle was mother of that John Dudley, Lord of Lisle (afterwards Earl of Warwick, Duke of Northumberland, and father-in-law of Lady Jane Grey), who, only a few years later, basely availed himself of that vile conspiracy by means of which the representative of the ancient House of Birmingham was able to be deprived of the inheritance that had come down to him from his forefathers. This Edward Grey, Lord of Lisle, was himself a man of mark in his day; but it is this coincidence for which I would now have him remembered here; for the next Deed I shall name is one which records a transaction, and bears the hand-writing, of that same Lord of Birmingham whom the Lord of Lisle's grandson despoiled of his inheritance.*

It was just thirty years after the date of the Deed to which Bishop Alcok and the Lord of Lisle were parties, that Edward Birmingham, the last representative of a very ancient

* It will be observed that I speak here of Northumberland having "availed himself of," and not as having "contrived," the conspiracy against Edward Birmingham. The story told by Dugdale has always hitherto been accepted: but nevertheless. it cannot be accurate. There exists a letter, written—not by *John Dudley*, but—by *Edward Sutton, Lord Dudley*, to *Cardinal Wolsey* (and therefore, necessarily, earlier than 1529), in which a rambling complaint is made of an assault and robbery committed, "appon the nyght afore Cristomas evyn last passid," by "Edward Byrmyngham" and others. The whole story is absurd and self-contradictory on the face of it, and demonstrates either a gross libel or a conspiracy (just as happened in the case of Mr. Bewicke of Northumberland, two years ago). But surely John Dudley was then too young to have been the inventor of that conspiracy; nor was he then master of Dudley castle. On the other hand, "An Acte concernyng the assuraunce of the Maner of Birmyngeham to the Kyng's Highness and his heyres," was not passed till 1536.

I conclude, that a ridiculous charge was trumped up against Edward Birmingham about A.D. 1528; which *Edward Sutton*, Lord Dudley (a very weak man), heard of and wrote about; but which then ended in smoke; and that later, when *John Dudley* became possessor of Dudley Castle, and wanted Birmingham, he found this old charge a convenient handle to be raked up and made use of for

House, executed the Deed to which I shall next call attention, and of which, like the last-named, I now give a facsimile. This facsimile is made doubly interesting by the fact, that it contains the autograph signature (a rare circumstance in old Deeds) of Edward Birmingham himself, as well as bearing his seal.

This Deed is in English, though I apprehend it will be found less easy to read, by most persons, than the Latin Deed of Bishop Alcok. It is a Lease, for sixty years, of the same property as is included in another Deed already named.* And these Deeds have this special interest:—that, as the property here dealt with, and which is marked in the Plan by the letters "L^d of B^m," formed part of the ancient demesne lands of the Lords of Birmingham, the eye falls here upon a piece of well defined property, which, it is not incorrect to say, has only changed hands once during all the time from the making-up of the Domesday Book even until now; that change of hands being recorded by this Lease and the subsequent grant of the freehold, which was a transaction between the same persons.

The story of the conspiracy to which Edward Birmingham and the fortunes of his ancient House fell victims, is told by Dugdale; though Dugdale does not give either an accurate copy, or the correct substance, of the Act of Parliament that was passed on the occasion. That Act itself gives conclusive proof that Edward Birmingham was, in every sense, the victim of a conspiracy. It clears him of the charge of felony which Dudley, for his own ends, had sought to fix upon him;—for, had he been really guilty of felony, no Act of Parliament would have been necessary to transfer his estates to the

reaching his wicked ends. I believe the whole story, which is strangely confused by Dugdale, is able to be even yet cleared up. No history of Birmingham has ever yet been written; and I merely throw out the above to show that Dugdale's story cannot be the truth. But Edward Birmingham was deprived, and John Dudley got possession, of the Manor of Birmingham, all the same.

* See before, p. 39.

Crown. And the Act only transfers the Birmingham estates to the Crown;—while an actual felony would have entailed the forfeiture of all his estates; and Edward Birmingham inherited large property elsewhere. Moreover, this Act expressly declares Edward Birmingham "fully and clerely pardonyd," and secures to him, even out of the Birmingham property, an annuity which (though Dugdale is here again wrong, as to the amount) was not contemptible, according to the value of money at that time.

But the sting was, that the heartless selfishness of Dudley wanted to get, and succeeded in getting, possession of the fair manor of Birmingham; which was dearer to Edward Birmingham, as an ancient inheritance, than for its mere money value. The home of his fathers became known no more to Edward Birmingham. He could look out no longer, from the windows of his manor house, upon the "Byrchehill;" and he could daily pass no more through the "as pretty a street as ever I entered" of that Deritend, close to which he and his forefathers had been born, and had lived through many centuries, and within which a large part of their demesne lands lay.

An offshoot of the Birmingham family established itself in Ireland several centuries ago, and attained high rank and honours there; and, though the family titles have been allowed, but only within a few years past, to fall in abeyance, representatives of the family still exist there.* It will, however, be new to the readers of these pages to be informed, that a branch of this old family has existed, and most likely still exists, in France, though under a name curiously, but obviously, frenchified from the already corrupted name "Brymicham." And it will, I think, be interesting to many if I here give the following document, the original of which

* The chief of these titles, though not the only ones, are the Barony of Athenry, created in the twelfth century, and the Earldom of Louth.

I have lately found in the British Museum; which shows that a branch of the family of Birmingham attached itself to the cause and person of James II. The original bears four signatures, of which one is "Cha. Bermingham":—

"Nous certifions, a tous qu'il appartiendera, qu'il est de notorieté et d'une tradition tres certaine en Irlande, que le sieur Raoule Bermingham, alias Brindejone, fils de Rauland Bermingham, en sortit l'anne 1564, a caus de la persecution, et se vint etablir a St. Malo, et depuis ce tems la, nous trouvons que le dit sieur Raoule, laissa pour heretier son fils Olivier Brindejone, sieur de la maison neuve, qui laissa pour heretier son fils Olivier, sieur du dit lieu, encore vivant, qui a pour enfants le sieur Luc Brindejone, sieur de la mar, qui est l'éné, et le sieur Pierre de Brindejone, sieur de Treglode; les qu'els Brindejones sont descendus de l'ancienne, Illustre, et noble famille de Berminghams, dont le Lord Baron de Athenry est descendu en Irlande, et qu'ils tirent leurs origine d'une ancienne, illustre, et noble famille dans le Royaume d'Angleterre. Daté a St. Germain ce trentieme november 1701."

I could add many names which, to those familiar with property, or even with the names of streets, in Birmingham, would strike upon familiar memories. Thus I find, often showing themselves on these old Deeds, the Holdens, Shyltons, Lenches, Smalbrokes, and many other names familiar in Birmingham. The Smalbrokes gave name to a well-known street in the town. They were large owners of property there and in the neighbourhood; but my Deeds show that they were obliged, in the course of the sixteenth and seventeenth centuries, to be large sellers also.* They appear to have been scriveners, and in large practice in the town; and one of them was, I apprehend in that capacity, a party to the Deed of settlement of The Old Crown House upon John Dyckson alias Bayleys and Anne his wife, in 1589.†

During the time of the Civil Wars of the seventeenth century, the heir to this estate was, as I have already said, an

* Among the rest, Richard Smalbroke sold land in Bordesley to William Hawkes, in 1657. William Hawkes married a Miss Hawkesforde; and their son married the daughter and heiress of the Richard Dyckson before named.

† See before, p. 25.

infant. I meet, however, with the name of Byllingsley, as an owner of land in Deritend, near to The Old Crown House, whom I take to be the father or elder brother of the "William Billingsley, Junior," who is stated, in "Prince Rupert's burning love to England discovered in Birmingham's flames," to have been slain, on Easter Monday, 1643, just after the Lord Brooke's death. The same tract tells us how "The people [of Birmingham] that are left [after the raid of Prince Rupert] are fed with such rayling Sermons as one *Orton*, Curate to Parson *Smith* the ancient Pluralist, can afford them, rankly distempered with the malignancy of his owne distempered Spirit." Among old family documents in my possession, there is a testimonial on vellum, bearing the signatures and seals of several officers, to the services rendered by *Thomas Orton*, through several years, in the Parliamentary army. As such a testimonial was certainly not given to every gentleman who served in that army, I presume that the one before me was given to my warlike ancestor in order to counteract the bad odour into which the "rayling Orton" had then brought that name.

The lineal descendant and last male representative of this Thomas Orton was Job Orton, a distinguished Divine of the last century.* He entertained a great regard for, and

* Job Orton had the rare fortune to be held in equal esteem by Churchmen and Non-Conformists. His only sister became the wife of Mr. Joseph Smith of Hey Hall, before named (p. 43). The mother of both was born in the same house (at Marston Jabet in Warwickshire), and was lineally of the same blood, as he of whom Mosheim says, in his "Ecclesiastical History," that the "master-science," of the moral duties incumbent upon Christians, "which Calvin and his associates left rude and imperfect, was first reduced into form, and explained with accuracy and precision, by WILLIAM PERKINS." William Perkins died in the last year of Elizabeth, and was buried at Cambridge at the expense of the College of which he was the most distinguished Fellow. His works have been translated into Latin, German, Dutch, French, Italian, and Spanish; and are, in their original English, as remarkable for style as for matter.

In equal kindred to the foregoing names with myself (not leaving un-named Mr. Brooke Smith of Birmingham, and Mr. Brooke Smith of Bristol, who are grandsons of Mr. Joseph Smith), are Sir Arthur Elton, Bart., of Clevedon Court, Somerset, and Mr. Herford, the present Coroner of Manchester.

confidence in the professional skill of, young Dr. Edward Johnstone; and this physician, afterwards so eminent and so long known in Birmingham, was, in consequence, introduced to the practice of his profession in this town by my grandfather, Mr. Edward Smith, the nephew of Job Orton. This early act of friendship remained, with unforgotten freshness, in the memory of Dr. Johnstone to the last of his long life, as I am myself able, in the third generation, to bear witness.

The circumstance last mentioned is an illustration of the links which the present time has with the past. And all that I have been telling here, is but made up of fragments of such links. Within one narrow range of the eye, in the midst of this bustling, thriving, town of Birmingham, you can look upon spots thrice interesting; spots, each identified, which tell of the home of the English gentleman of the veritable olden time; of the glorious old Gilds of England; and of the sad fortunes of one of the best specimens of old English families. The old House itself still stands, with a green old age; and all the Memorials that cluster round it, do but help to show how the England of to-day is linked on to the England of the past: and Birmingham men will do well to compare together past links, present states, and future hopes, if they would have the historian be able to say in time to come, as was forced to be said more than three hundred years ago, of this very ancient and yet now so busy town, that

"BIRMINGHAM IS A VERY METE PLACE."

ponsione Dmna Regine Elien Edwardi
et Johem Edwardum & Johem Hayot Dedisse
Weham in Dom Walwic yomand totu illud
in quoda loco vocat Dyret ende in qua
nend predict tentum ad omia sua prim
fed illms p sua mda debita & de qua
d Elien Edwardu Rex Dmo de Clyfle &
robis in qd Johem tabez unp de Dombarig
oibz uris in predict tuis ad sua prim ac
nde capt Quia ad deliberand de nobis
ota Dmo forma & effectu hui Carte nre
et Attorn nr fecerit ant fien ponvaluerit
Dat vicesimo die Jan Anno regni Regis

AUG 2 3 1943